

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
MISTY MAYWOOD MCKEE, )  
Defendant. )

CASE NO. 05-570M

DETENTION ORDER

Offense charged:

Count I: Conspiracy to Distribute Cocaine, in violation of Title 21, U.S.C.,  
Sections 841(a)(1), 841(b)(1)(A) and 846

Date of Detention Hearing: December 6, 2005

The Court conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and  
based upon the factual findings and statement of reasons for detention hereafter set forth,  
finds that no condition or combination of conditions which the defendant can meet will  
reasonably assure the appearance of the defendant as required and the safety of any other  
person and the community. The Government was represented by Lisca Borichewski. The  
defendant was represented by Courtney Knudsen.

The Government moved for detention. The defendant did not contest to detention.

DETENTION ORDER  
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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

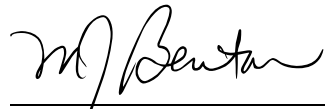
- (1) There is probable cause to believe the defendant committed the drug offense. The maximum penalty is in excess of ten years. There is therefore a rebuttable presumption against the defendant's release based upon both dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).
- (2) Nothing in this record satisfactorily rebuts the presumption against release for several reasons:
  - (a) There is a risk of non-appearance as the defendant has no ties to the Western District of Washington.
  - (b) Due to the nature of the instant offense and defendant's criminal history she is viewed as a risk of danger and a threat to the community.
  - (c) Defendant appears to have ongoing poly-substance abuse problems.
  - (d) Defendant does not contest detention.
- (3) Based upon the foregoing information, it appears that there is no condition or combination of conditions that would reasonably assure future Court appearances and/or the safety of other persons or the community.

**It is therefore ORDERED:**

- (1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

- 1 (2) The defendant shall be afforded reasonable opportunity for private  
2 consultation with counsel;
- 3 (3) On order of a court of the United States or on request of an attorney for  
4 the Government, the person in charge of the corrections facility in which  
5 the defendant is confined shall deliver the defendant to a United States  
6 Marshal for the purpose of an appearance in connection with a court  
7 proceeding; and
- 8 (4) The clerk shall direct copies of this order to counsel for the United  
9 States, to counsel for the defendant, to the United States Marshal, and to  
10 the United States Pretrial Services Officer.

11 DATED this 12th day of December, 2005.

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15 MONICA J. BENTON  
16 United States Magistrate Judge  
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